

following reasons and it is requested that this rejection be reconsidered and withdrawn.

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It is submitted that the claimed invention is patentable over Kramp et al.

Kramp et al. is concerned with a process for the prevention of darkening and the formation of sediment in a developer solution. It discloses a developer solution containing a combination of (a) an organic thiol or thione compound capable of tautomerism and (b) a Bunte salt containing groups that confer solubility in water. It states (at column 2, lines 46-54) that the invention relates to the use of the process when developing black and white, reversal, chromogenic, X-ray or silver dye-bleach material. The organic thiol or thione compounds according to the invention disclosed in Kramp et al. are defined by formulae 1 and 2 at column 2, lines 55-64 and thereafter.

The only thiol compound specifically disclosed in Kramp et al. that falls within the scope of either formula (I) or formula (II) as defined in Claim 1 of the present application is compound 9 at column 13 of Kramp et al., which corresponds to formula (II) of Claim 1 when A = para-phenylene, R¹ = ortho-phenylene, X = SO₃H and M = H. However, this compound is disclosed in Kramp et al. as one of over 100 compounds that may comprise component (a) of the composition in Kramp et al. There is no specific disclosure in Kramp et al. of a developer composition suitable for use in the development of a black and white silver halide photographic element comprising the compound 9 of column 13.

In order for the skilled person in possession of the teaching of Kramp et al. to reach the invention defined by Claim 1 of the present application, it would be necessary for the skilled person to first select the compound 9 at column 13 of Kramp et al. from a list of over 100 specifically disclosed compounds, then to recognize that in order to achieve the effect of inhibiting sludge deposition it is only necessary to use the compound alone and not necessarily in combination with a Bunte salt, and finally to choose to prepare a developer solution suitable for developing a black and white silver halide photographic element.

The skilled person would not be led by the teaching of Kramp et al. to select the compound 9 at column 13 from the 100 or so other compounds that may be suitable as component (a) of the invention described in Kramp et al., because there is no direction to use that compound, in particular, anywhere in the disclosure and

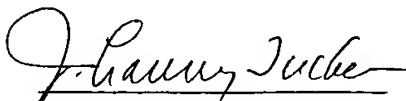
because the specific examples, both in respect of color and black and white developer, relate only to compound (104) – see column 21, line 64, which is not a compound falling within the scope of formula (I) or formula (II) as defined in Claim 1 of the present application, and nor is it structurally similar to compound 9 at column 13 of Kramp et al.

Furthermore, the teaching of Kramp et al. is to the use of *the combination* of a thiol or thione according to formula 1 or 2 (of column 2 of KRAMP ET AL.) and a Bunte salt according to formula 3. There is no disclosure of the effectiveness of a thiol and, in particular, of the compound 9 of column 13, alone in the prevention of sediment formation. The skilled person, therefore, would not be led by the disclosure of Kramp et al. to Claim 1 of the present application that requires the presence of only one compound of formula (I) or formula (II) as defined therein. Indeed, the disclosure of Kramp et al. positively teaches away from the use of a thiol compound alone by consistently referring to the combination of the thiol with a Bunte salt and by Example 3 (column 23, lines 1-19) that compares the effect of a black and white developer solution having only a thiol compound, which solution remains clear for a certain time after which turbidity due to sediment formation is then observed, to one having both a thiol and a Bunte salt which remains clear even after prolonged use.

Accordingly, Claims 1-19 of the present application are patentable over cited document Kramp et al.

In view of the foregoing remarks, reconsideration of this patent application is respectfully requested. A prompt and favourable action by the Examiner is earnestly solicited.

Respectfully submitted


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